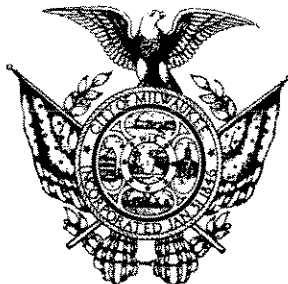


CITY OF MILWAUKEE

Form CA-43

GRANT F. LANGLEY
City Attorney

RUDOLPH M. KONRAD
PATRICK B. McDONNELL
LINDA ULISS BURKE
Deputy City Attorneys



OFFICE OF CITY ATTORNEY
800 CITY HALL
200 EAST WELLS STREET
MILWAUKEE, WISCONSIN 53202-3551
TELEPHONE (414) 286-2601
TDD (414) 286-2025
FAX (414) 286-8550

February 7, 2005

To the Honorable Common Council
of the City of Milwaukee
Room 205 - City Hall

Re: Communication from Attorney Laurie A. Eggert, Eggert & Cermele, S.C.
for legal fees for Police Officers Ryan Lemke, Todd Bohlen, Dennis Devalkenaere,
Brian Brosseau and Dale Anders; C.I. File No. 03-S-216; EC 1888


Dear Council Members:

Returned herewith is a document filed by Attorney Laurie Eggert for attorney's fees for representing Police Officers Ryan Lemke, Todd Bohlen, Dennis Devalkenaere, Brian Brosseau and Dale Anders. The claim is in the amount of \$1,212.02 including \$13.02 in disbursements for 10.90 hours of service billed at the rate of \$110.00 per hour. We ask that this matter be introduced and referred to the Committee on Judiciary & Legislation.

We have reviewed this claim and advise that in our opinion, the time spent was reasonable. Legal representation was occasioned by a criminal investigation. No criminal charges were brought against the police officers on whose behalf this claim was filed.

As we have advised you under similar circumstances in the past, the Common Council has discretion to reject this claim or to pay it in whole or in part. Wis. Stat. § 895.35, *Bablitch and Bablitch v. Lincoln County*, 82 Wis. 2d 574 (1978).

Very truly yours,


GRANT F. LANGLEY
City Attorney


JAN A. SMOKOWICZ
Assistant City Attorney

JAS:enm
Enc.

89976/ 1032-2003-1624

THOMAS O. GARTNER
BRUCE D. SCHRIMPF
ROXANE L. CRAWFORD
SUSAN D. BICKERT
HAZEL MOSLEY
STUART S. MUKAMAL
THOMAS J. BEAMISH
MAURITA F. HOUREN
JOHN J. HEINEN
MICHAEL G. TOBIN
DAVID J. STANOSZ
SUSAN E. LAPPEN
JAN A. SMOKOWICZ
PATRICIA A. FRICKER
HEIDI WICK SPOERL
KURT A. BEHLING
GREGG C. HAGOPIAN
ELLEN H. TANGEN
MELANIE R. SWANK
JAY A. UNORA
DONALD L. SCHRIEFER
EDWARD M. EHRlich
LEONARD A. TOKUS
VINCENT J. BOBOT
MIRIAM R. HORWITZ
MARYNELL REGAN
G. O'SULLIVAN-CROWLEY
DAWN M. BOLAND
KATHRYN M. ZALEWSKI

Assistant City Attorneys

EGGERT & CERMELE, S.C.

Attorneys at Law

Laurie A. Eggert
Jonathan Cermele

1840 North Farwell Avenue
Suite 303
Milwaukee, Wisconsin 53202
(414) 276-8750
FAX (414) 276-8906

May 9, 2003

Mr. Ronald D. Leonhardt
Milwaukee City Clerk
200 East Wells Street, Room 800
Milwaukee, WI 53202

**RE: MPD Criminal Investigation of POs Ryan Lemke, Todd Bohlen,
Dennis Devalkenaere, Brian Brosseau and Dale Anders
Allegations Regarding Mr. Adrian Wells
Date of Incident: September 26, 2002
Location of Incident: 2875 North 52nd Street
EC No.: 1888**

Dear Mr. Leonhardt:

The above-named police officers have retained us to represent them in connection with the above-referenced matter.

Consistent with its policy, the City Attorney's Office has refused to represent them, and as they were performing the duties of their office at the time of the events giving rise to the incident, the claim is hereby made on their behalf for the indicated legal fees. This incident involved the search of a residence.

The MPD initiated a criminal investigation in which the officers initially declined to give a statement without counsel. When they requested counsel, IAD compelled POs Lemke, Bohlen, DeValkenaere, Brosseau and Anders to give statements concerning the incident after issuing PI-21s. The DA reviewed the matter and did not issue charges against the officers. Attached is a copy of the clearance report and an itemization of the time and services rendered.

Sincerely,

EGGERT & CERMELE, S.C.

Laurie A. Eggert
Laurie A. Eggert
Attorney at Law

*1/29/05
C.K.
JAS*

CITY OF MILWAUKEE
RECEIVED
03 MAY 14 PM 3:42
OFFICE OF
CITY ATTORNEY

JC/ldl
attachment
LEMKEetal.

Le Her 2276

EGGERT & CERMELE, S.C.

Attorneys at Law

Laurie A. Eggert
Jonathan Cermele

1840 North Farwell Avenue
Suite 303
Milwaukee, Wisconsin 53202
(414) 276-8750
FAX (414) 276-8906

May 8, 2003

Mr. Ronald D. Leonhardt
Milwaukee City Clerk
800 City Hall
200 East Wells Street
Milwaukee WI 53202

RE: MPD Criminal Investigation re: Mr. Adrian Wells
Regarding: POs Ryan Lemke, Todd Bohlen, Dennis DeValkenaere,
Brian Brosseau and Dale Anders
Date of Incident: September 26, 2002
Location of Incident: 2875 North 52nd Street

Professional services

	<u>Hours</u>
10/9/02 Telephone call from PO Lemke regarding new criminal investigation open file; memo to file; telephone call to and from PO Bohlen; memo to file; telephone call to and from PO Anders; memo to file; telephone call to and from PO Brosseau; memo to file; telephone call to and from PO Barnes; memo to file; telephone call to PO DeValkenaere; memo to file; meeting with PO Anders at IAD; attend PO Anders's PI-21; meeting with PO DeValkenaere at IAD; attend PO DeValkenaere's PI-21; meeting with PO Bohlen at IAD; attend PO Bohlen's PI-21; meeting with PO Barnes at IAD; attend PO Barnes's PI-21; meeting with PO Brosseau at IAD; attend PO Brosseau's PI-21; travel; memos to file.	4.20
10/10/02 Review of file.	0.40
10/28/02 Several telephone calls from DDA Reddin.	0.30
11/15/02 Telephone call to DDA Reddin; telephone call to clients.	0.80

	<u>Hours</u>	
11/20/02	Review of file; meeting with POs Bohlen, DeValkenaere and Brosseau at DA's office; attend POs Bohlen, DeValkenaere, and Brosseau's statements to DA; travel; memo to file.	2.50
11/21/02	Review of file; meeting with PO Lemke at DA's office; attend PO Lemke's statement to DA; meeting with DA regarding decision to "No Process" complaint; travel; memo to file.	1.50
11/22/02	Letter to clients regarding DA not issuing charges; correspondence to MPD Open Records.	0.50
1/2/03	Telephone call from Lemke; memo to file; review of file.	0.30
4/6/03	Receive and review closed criminal investigatory packet from MPD Open Records; correspondence to clients.	0.40
		<u>Amount</u>
	For professional services rendered	10.90 \$1,199.00
	Additional charges:	
11/20/02	Parking	2.00
11/21/02	Parking	1.00
4/6/03	MPD Open Records request	10.02
	Total costs	<u>\$13.02</u>
	Total amount of this bill	<u>\$1,212.02</u>
	Balance due	<u><u>\$1,212.02</u></u>

Mr. Ronald D. Leonhardt

Page 3

(Rate: \$110.00 per hour)

INCIDENT INFORMATION	INCIDENT BATTERY	DATE OF INCIDENT 09-26-02	DATE OF REPORT 12-09-02	REP CON#
	VICTIM WELLS, ADRIAN E.	LOCATION OF INCIDENT (ADDRESS) 2875 N 52 ND ST		DIST. 3
	VICTIM'S ADDRESS 6879 N 42 ND ST	REPORTED BY VICTIM		

PROPERTY CODES --- LIST CODE FOR EACH ITEM OF PROPERTY IN "CODE #* COLUMN ---

01-AIRCRAFT	09-CREDIT CARDS	15-HEAVY EQUIPMENT	21-NEGOTIABLE INSTRUMENT	27-RECORD/AUDIO VISUAL	34-STRUCT-STORAGE
02-ALCOHOL	10-DRUGS/NARCOTICS	16-HOUSEHOLD GOODS	22-NONNEGOT INSTRUMENT	29-STRUCT-SINGLE DWL	35-STRUCT-OTHER
04-BICYCLES	11-DRUG/NARC EQUIP	17-JEWELRY/PREC METAL	23-OFFICE EQUIPMENT	30-STRUCT-OTHER DWL	36-TOOLS
06--CLOTHES/FURS	12-FARM EQUIPMENT	18-LIVESTOCK	77-OTHER	31-STRUCT-OTHER COMM	38-VEH/PART/ACC
07-COMPUTER WARES	13-FIREARMS	19-MERCHANDISE	25-PURSE/BAG/WALLET	32-STRUCT-INDUST MFG	39-WATERCRAFT
08-CONSUMABLES	14-GAMBLING EQUIP	20-MONEY	26-RADIO/TV/VCR	33-STRUCT-PUBLIC	99-

QUANT	TYPE OF PROPERTY	DESCRIPTION	SERIAL #	INVENTORY #	CODE #	VALUE

RELATED INCIDENT #'S	EVIDENCE INVENTORY #'S	ADDED PROPERTY ATTACHED PO-14	TOTAL VALUE RECOVERED PROPERTY \$
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USE FOR WEAPONS IN POSSESSION OF PRISONER AT TIME OF ARREST -- CHECK ALL APPLICABLE ITEMS

1 2	1 2	1 2	1 2	1 2	1 2
<input type="checkbox"/> ALTERED STOCK	<input type="checkbox"/> CHROME/NICKEL	<input type="checkbox"/> HANDGUN	<input type="checkbox"/> OTHER	<input type="checkbox"/> REVOLVER	<input type="checkbox"/> SHOTGUN
<input type="checkbox"/> AUTOMATIC	<input type="checkbox"/> DOUBLE BBL	<input type="checkbox"/> IMPLIED WEAPON	<input type="checkbox"/> OTHER FIREARM	<input type="checkbox"/> RIFLE	<input type="checkbox"/> SIMULATED WEAPON
<input type="checkbox"/> BOLT ACTION	<input type="checkbox"/> DRUG/NARCOTIC	<input type="checkbox"/> KNIFE/CUTTING INSTR	<input type="checkbox"/> PERSONAL WEAPON	<input type="checkbox"/> SAWED OFF	<input type="checkbox"/> SINGLE BBL
<input type="checkbox"/> BLUE STEEL	<input type="checkbox"/> EXPLOSIVES	<input type="checkbox"/> LIQUID GAS	<input type="checkbox"/> POISON	<input type="checkbox"/> SEMI AUTO	<input type="checkbox"/> THROWN OBJECT
<input type="checkbox"/> BLUNT OBJECT	<input type="checkbox"/> FIRE/INCENDIARY	<input type="checkbox"/> MOTOR VEHICLE	<input type="checkbox"/> PUMP ACTION	<input type="checkbox"/> SHORT/SNUB BBL	<input type="checkbox"/> UNKNOWN

ARRESTED #1 LAST NAME	FIRST NAME	MID	RACE	SEX	DATE OF BIRTH	AGE	ETHNIC ORIGIN <input type="checkbox"/> HISPANIC <input type="checkbox"/> NON-HISPANIC
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ADDRESS	CITY	STATE	HEIGHT	WEIGHT	BUILD	HAIR	EYES
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ALIAS	SCARS, MARKS, MOLES, DEFORMITIES, AMPUTATIONS, FACIAL HAIR, SKINTONE, TATTOOS, PECULIARITIES ETC.
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I.D. DIV #	SOC. SEC. #	ADDED WEAPON INFO ARRESTED #1
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RESIDENT OF COUNTY	Y N	GANG RELATED	Y N	DRUG RELATED	Y N	LOCATION OF ARREST	DATE/TIME OF ARREST	TYPE OF ARREST	<input type="checkbox"/> ORDERED IN/CITED <input type="checkbox"/> W/WARR/SUSP CARD <input type="checkbox"/> ALL OTHER ARRESTS
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CHARGES	POSSESSED DRUGS AT TIME OF ARREST	SUSPECTED	Y N
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ARRESTED #2 LAST NAME	FIRST NAME	MID	RACE	SEX	DATE OF BIRTH	AGE	ETHNIC ORIGIN <input type="checkbox"/> HISPANIC <input type="checkbox"/> NON-HISPANIC
-----------------------	------------	-----	------	-----	---------------	-----	---

ADDRESS	CITY	STATE	HEIGHT	WEIGHT	BUILD	HAIR	EYES
---------	------	-------	--------	--------	-------	------	------

ALIAS	SCARS, MARKS, MOLES, DEFORMITIES, AMPUTATIONS, FACIAL HAIR, SKINTONE, TATTOOS, PECULIARITIES ETC.
-------	---

I.D. DIV #	SOC. SEC. #	ADDED WEAPON INFO ARRESTED #1
------------	-------------	-------------------------------

RESIDENT OF COUNTY	Y N	GANG RELATED	Y N	DRUG RELATED	Y N	LOCATION OF ARREST	DATE/TIME OF ARREST	TYPE OF ARREST	<input type="checkbox"/> ORDERED IN/CITED <input type="checkbox"/> W/WARR/SUSP CARD <input type="checkbox"/> ALL OTHER ARRESTS
--------------------	-----	--------------	-----	--------------	-----	--------------------	---------------------	----------------	--

CHARGES	POSSESSED DRUGS AT TIME OF ARREST	SUSPECTED	Y N
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V	VEHICLE USED	MAKE	MODEL	TYPE	COLOR	STATE	EXP	TYPE	V.I.N. #
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REPORTING OFFICER <i>Det Gust Petropoulos</i> DET. GUST PETROPOULOS	PAYROLL # 59679	LOC 04	ASSISTING OFFICER	SUPERVISOR <i>Det</i> <i>Raynard S. Richardson</i> 50144	TOTAL ARRESTS 0
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REPORT

INVESTIGATIVE NARRATIVE:

This report was written by Detective Gust PETROPOULOS, assigned to the Criminal Investigation Unit/Internal Affairs Division (CIU/IAD), early shift.

On 10-28-02 at 1:30pm this case was reviewed by D.D.A. Jon REDDIN. I later contacted D.D.A. REDDIN in regards to a disposition on this investigation. He advised that he interviewed the Officers involved in this investigation in the presence of their Attorney John CERMELE. He concluded that the description of the incident given by the Officers was credible when compared with the complainant's injuries. He therefore declined to issue charges in this matter.

REVIEWING D.A. D.D.A. REDDIN	P.O./DET. ASSIGNED: DET. PETROPOULOS	COURT CASE NUMBER
FINAL CHARGE	DISPOSITION/DATE	VICTIM NOTIFIED BY
INCIDENT STATUS	<input type="checkbox"/> CLEARED BY ARREST 18 OR OVER <input type="checkbox"/> PARTIAL CLEARANCE BY ARREST <input type="checkbox"/> UNFOUNDED/BASELESS <input type="checkbox"/> VICTIM RESUSES TO COOPERATE (SUSPECT INFORMATION NEEDED)	<input type="checkbox"/> PROPERTY RECOVERED <input type="checkbox"/> * WARRANT REFUSED <input type="checkbox"/> ARREST UNDER 18 <input type="checkbox"/> A. Detained at MCCC <input type="checkbox"/> B. Ordered in to MCCC DATE: _____ <input type="checkbox"/> WAIVED AS AN ADULT
----- C.I.B. ADMINISTRATIVE USE ONLY -----		
CLEARED EXCEPTIONALLY	<input type="checkbox"/> A. Death of Offender <input type="checkbox"/> B. Prosecution Declined	<input type="checkbox"/> C. Extradition Denied <input type="checkbox"/> D. Refused to Cooperate <input type="checkbox"/> E. Juvenile, no custody <input type="checkbox"/> F. Not Applicable
JUSTIFIABLE HOMICIDE	<input type="checkbox"/> A. SUSP ATTCKD PO AND SAME PO KILLED SUSP <input type="checkbox"/> B. SUSP ATTCKD PO AND OTHER PO KILLED SUSP <input type="checkbox"/> C. SUSP ATTCKD CIVILIAN <input type="checkbox"/> D. SUSP ATTEMPTED FLIGHT FROM CRIME	<input type="checkbox"/> E. SUSP KILLED IN COMMISSION OF CRIME <input type="checkbox"/> F. SUSP RESISTED ARREST <input type="checkbox"/> G. UNABLE TO DETERMINE/NOT ENOUGH INFORMATION <input type="checkbox"/> H. SUSPECT KILLED BY PRIVATE CITIZEN <input type="checkbox"/> I. SUSPECT KILLED BY POLICE OFFICER

MILWAUKEE POLICE DEPARTMENT

MEMORANDUM

AUGUST 20, 2003

TO: P.O. RYAN LEMKE
DISTRICT FIVE

RE: Receipt of Legal Services from Law Firm of
Attorney

Attorney Laurie Eggert has made a claim with the City, indicating the attached was provided with legal services arising out of one of the following situations:

- 1) An incident occurring on SEPTEMBER 26, 2002
- 2) A citizen's complaint made by ADRIAN WELLS
- 3) A police shooting incident occurring on N/A

Is this information correct?

YES NO

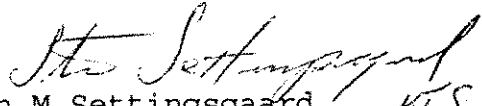
Did you receive legal representation
in this matter?

YES NO

Your signature: 

Print your name: Ryan J. Lemke

Upon completion, please return this memorandum to the Internal Affairs Division at the Police Academy (Room 325) as soon as possible.


Steven M. Settingsgaard *KJS*
Police Commander
Internal Affairs Division

SMS:kjs

MILWAUKEE POLICE DEPARTMENT

June 5, 2003

MEMORANDUM

TO: P.O. TODD BOHLEN
DISTRICT SEVEN

RE: Receipt of Legal Services from Law Firm of
Attorney

Attorney Laurie Eggert has made a claim with the City, indicating the attached was provided with legal services arising out of one of the following situations:

- 1) An incident occurring on SEPTEMBER 26, 2002
- 2) A citizen's complaint made by ADRIAN WELLS
- 3) A police shooting incident occurring on N/A

Is this information correct?

YES X NO _____

Did you receive legal representation
in this matter?

YES X NO _____

Your signature: _____

Print your name: _____

Todd Bohlen

TODD BOHLEN

Upon completion, please return this memorandum to the Internal Affairs Division at the Police Academy (Room 325) as soon as possible.

Steven M. Settingsgaard
Steven M. Settingsgaard *KJS*
Police Commander
Internal Affairs Division

SMS:kjs

MILWAUKEE POLICE DEPARTMENT

MEMORANDUM

June 5, 2003

TO: P.O. DENNIS DEVALKENAERE
DISTRICT SEVEN

RE: Receipt of Legal Services from Law Firm of
Attorney

Attorney Laurie Eggert has made a claim with the City, indicating the attached was provided with legal services arising out of one of the following situations:

- 1) An incident occurring on SEPTEMBER 26, 2002
- 2) A citizen's complaint made by ADRIAN WELLS
- 3) A police shooting incident occurring on N/A

Is this information correct?

YES NO


Did you receive legal representation
in this matter?

YES NO

Your signature: _____

Print your name: _____

Upon completion, please return this memorandum to the Internal Affairs Division at the Police Academy (Room 325) as soon as possible.


KJS
Steven M. Settingsgaard
Police Commander
Internal Affairs Division

SMS:kjs

MILWAUKEE POLICE DEPARTMENT

June 5, 2003

MEMORANDUM

TO: P.O. BRIAN BROSSAU
DISTRICT SEVEN

RE: Receipt of Legal Services from Law Firm of
Attorney

RECEIVED
03 JUN 13 PM 4:04
MILWAUKEE POLICE DEPARTMENT
INTERNAL AFFAIRS
DIVISION

Attorney Laurie Eggert has made a claim with the City, indicating the attached was provided with legal services arising out of one of the following situations:

- 1) An incident occurring on SEPTEMBER 26, 2002
- 2) A citizen's complaint made by ADRIAN WELLS
- 3) A police shooting incident occurring on N/A

Is this information correct?

YES X NO _____

Did you receive legal representation in this matter?

YES ✓ NO _____

Your signature: B.P.B.

Print your name: Brian P. BROSSAU

Upon completion, please return this memorandum to the Internal Affairs Division at the Police Academy (Room 325) as soon as possible.

Steven M. Settingsgaard

Steven M. Settingsgaard
Police Commander
Internal Affairs Division

SMS:kjs

MILWAUKEE POLICE DEPARTMENT

MEMORANDUM

June 5, 2003

TO: P.O. DALE ANDERS
DISTRICT SEVEN

RE: Receipt of Legal Services from Law Firm of
Attorney

Attorney Laurie Eggert has made a claim with the City, indicating the attached was provided with legal services arising out of one of the following situations:

- 1) An incident occurring on SEPTEMBER 26, 2002
- 2) A citizen's complaint made by ADRIAN WELLS
- 3) A police shooting incident occurring on N/A

Is this information correct?

YES NO


Did you receive legal representation
in this matter?

YES NO

Your signature: _____

Print your name: _____

Upon completion, please return this memorandum to the Internal Affairs Division at the Police Academy (Room 325) as soon as possible.


Steven M. Settingsgaard
Police Commander
Internal Affairs Division

SMS:kjs